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To: **Department of Energy**

Fax Number: 12025868008

From: **Glenn E. Stein, OD**

Fax Number: 336-8330

Business Phone:

Home Phone:

Pages: 3

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Subject: ATTN: Docket No. 2007-OE-01

Request for Rehearing in the Designation of the Mid-Atlantic Area Corridor

November 1, 2007

The Office of Electricity Delivery and Energy Reliability, OE-20
U.S. Department of Energy
1000 Independence Avenue SW
Washington, DC 20585.

Attn: Docket No. 2007-OE-01
Request for Rehearing in the Designation of the Mid-Atlantic Area Corridor

As party to the proceedings, pursuant comments submitted to DOE on June 6, 2007 (Comment Number 80424), I request a rehearing on the designation of the Mid Atlantic Area Corridor.

In the designation of this corridor, the DOE has blatantly abused the authority granted to it by the Energy Policy Act of 2005. Below, I have copied a portion of my original comments regarding the boundary of the Mid Atlantic Corridor. A rehearing is necessary to allow the DOE to carefully consider this information and revise the corridor boundaries, to bring them into compliance with the law.

Comments on the Boundary of the Mid-Atlantic Corridor:

The Department of Energy has egregiously overstepped its authority by designating a corridor that covers the majority of the Mid Atlantic States, including almost all of NY State. The law states:

“(2) After considering alternatives and recommendations from interested parties (including an opportunity for comment from affected States), the Secretary shall issue a report, based on the study, which may designate any geographic area experiencing electric energy transmission capacity constraints or congestion that adversely affects consumers as a national interest electric transmission corridor.

The DOE Congestion Study as well as all of the NYISO report clearly shows that the geographic areas in New York State that are experiencing congestion are in NY City and Long Island. The Department’s own data shows this to be the case. Yet by choosing to designate a NIETC across the entirety of NY State the DOE has abused the power granted to it under the law.

The NYISO data shows that all zones follow a very close price fluctuation pattern. The only areas that are experiencing unusually large price fluctuations are zones J and K. There is also some congestion shown in zones H and I covering Millwood and Dunwoodie. All other zones in the state follow the same closely aligned pattern of normal price fluctuation. See figures VIII-12 and VIII-13 from your own analysis as sourced by the NYISO found here <http://nietc.anl.gov/documents/docs/colorfigures.pdf> on pages 15 and 16.

Of course, all areas of the country experience some price fluctuation. It would be absurd to use this standard to define energy congestion and ridiculous to infer that this was the intent of the law. Under that strict a standard the entire country could be designated as a "congested area" in need of a corridor designation. Yet this absurd standard seems to be what the DOE has employed to propose a NIETC that is not a corridor at all, but an enormous swath covering the majority of the Northeastern United States.

The only reasonable boundary of a corridor that runs along the east coast from Washington, DC to the north would have to end in the NY City Metro Area. Any designation north of Zone H would constitute a deplorable violation of the authority granted to the DOE by the Congress. The DOE must revise the corridor designation so that NY zones A through G are eliminated from the NIETC.

Sincerely,

Glenn E. Stein

Dr. Glenn E. Stein
115 Serenity Drive
Norwich, NY 13815
gsteinod@roadrunner.com